

Joe Shaeffer, WSBA #33273
MacDonald Hoague & Bayless
On behalf of The American Civil Liberties
Union of Washington Foundation
705 Second Avenue, Suite 1500
Seattle, WA 98104-1745
206-622-1604

Hon. Thomas O. Rice

Katherine M. Forster, CA Bar #217609
Munger, Tolles & Olson LLP
350 South Grand Avenue, 50th Floor
Los Angeles, CA 90071
213-683-9538

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON AT RICHLAND

JOHN DOE 1; JOHN DOE 2; JANE
DOE 1; JANE DOE 2; JANE DOE 3;
and all persons similarly situated,

Plaintiffs,

v.

WASHINGTON STATE
DEPARTMENT OF CORRECTIONS;
STEPHEN SINCLAIR, Secretary of The
Department of Corrections, in his official
capacity,

Defendants,

and

BONNEVILLE INTERNATIONAL,
INC. a Utah Corporation, d.b.a KIRO
Radio 97.3 FM; THE MCCLATCHY
COMPANY, LLC, a California Limited
Liability Company, d.b.a. The Tacoma
News Tribune; and ANDREA KELLY,
an individual,

Interested Parties.

No. 4:21-CV-05059-TOR

(PROPOSED) ORDER GRANTING
MOTION FOR TEMPORARY
RESTRAINING ORDER TO
PRESERVE STATUS QUO

1 Based on the Plaintiff's Motion, understanding that Defendants do not
2 oppose the motion, and the Court being fully advised, now therefore;

3 IT IS HEREBY ORDERED

4 Plaintiffs' unopposed motion for temporary restraining order is granted for
5 the limited period while Plaintiffs' motion for preliminary injunction is briefed by
6 the parties and considered by this Court. The Court finds that Plaintiffs have shown
7 a likelihood of success on the merits of their claims, and that substantial irreparable
8 harm would befall the Plaintiffs if the status quo is not maintained during the
9 pendency of the preliminary injunction motion practice. Once records have been
10 released, there would be no turning back, and Plaintiffs' safety and lives could be
11 placed in great peril. The Court further finds, provisionally, that Plaintiffs have no
12 remedy at law if these records are released, and the balance of the equities tips
13 sharply in their favor. Plaintiffs face irreparable and substantial harm in the
14 absence of an injunction. By contrast, DOC will not be prejudiced in any way by
15 entry of a preliminary injunction.

16 DATED this _____ of April, 2021.

17
18
19

Hon. Thomas O. Rice
United States District Court Judge
20
21
22
23

1 Presented by:

2 MacDONALD HOAGUE & BAYLESS

3
4 By: s/ Joe Shaeffer

5 Joe Shaeffer, WSBA #33273

6 joe@mhb.com

7 Nancy Talner, WSBA #11196

8 talner@aclu-wa.org

9 Lisa Nowlin, WSBA #51512

10 lnowlin@aclu-wa.org

11 Antoinette M. Davis, WSBA #29821

12 tdavis@aclu-wa.org

13 Heather McKimmie, WSBA #36730

14 heatherm@dr-wa.org

15 Danny Waxwing, WSBA #54225

16 dannyw@dr-wa.org

17 Ethan D. Frenchman, WSBA #54255

18 ethanf@dr-wa.org